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Daily Digest

HIGHLIGHTS

House passed Federal Trade Commission authorization bill.

Senate

Chamber Action

Routine Proceedings, pages S13675-S13784

Measures Introduced: Nine bills and one resolution were introduced, as follows: S. 1760-1768, and S.J. Res. 195.

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Measures Reported: Reports were made as follows:

S. 574, entitled "Battle Mountain Pasture Restoration Act of 1987." (S. Rept. No. 100-194)

S. 575, to convey public land to the Catholic Diocese of Reno-Las Vegas, Nevada, with amendments. (S. Rept. No. 100-195)

H.R. 1366, to provide for the transfer of certain lands in the State of Arizona, and for other purposes. (S. Rept. No. 100-196)

H.R. 2741, to authorize the minting of commemorative coins to support the training of American athletes participating in the 1988 Olympic Games, with an amendment. (S. Rept. No. 100-197)

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Measure Passed:

Employee Ownership Week: Senate agreed to S. Res. 295, to express the sense of the Senate that the period commencing October 5 and ending October 11, 1987, should be recognized as "Employee Ownership Week."

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Foreign Relations Authorizations, 1988: Senate continued consideration of S. 1394, to authorize funds for fiscal years 1988 for the Department of State, the United States Information Agency, and the Board for International Broadcasting, taking action on additional amendments proposed thereto, as follows:

Adopted:

(1) By 95 yeas to 2 nays (Vote No. 310), Melcher modified Amendment No. 851, to recommend to the President that he submit a plan for the sharing of costs involved in the use of United States Armed Forces in the Persian Gulf operation.

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(2) Grassley Amendment No. 883, to establish a United States Commission on Improving the Effectiveness of the United Nations, to (1) examine the United Nations system as a whole and identify and evaluate its strengths and weaknesses, and (2) prepare and submit to the President and to the Congress recommendations on ways to improve the effectiveness of the United Nations system and the role of the United States in the United Nations system, including the feasibility of and means for implementing such recommendations.

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(3) Heinz Amendment No. 884, to restrict certain United States contributions to international organizations until certain actions to eliminate abuses of the United Nations system are undertaken.

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(4) Roth-Dole Amendment No. 885, to amend the Foreign Missions Act, to provide that the Secretary of State shall apply to each foreign mission in the United States of the German Democratic Republic, Hungary, Czechoslovakia, Poland, Bulgaria, Rumania, and Cuba the same terms, limitations, restrictions, and conditions which are applied to the foreign mission in the United States of the Soviet Union, unless the President determines and so reports that national security and foreign policy circumstances with respect to such country or particular agency of such country. (By 36 yeas to 60 nays (Vote No. 307), Senate earlier failed to table the amendment.)

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(5) By 63 yeas to 33 nays (Vote No. 309), Hatfield Amendment No. 886, to provide for the protection of refugees in Southeast Asia through improvements in camp security and living conditions, as well as through the promotion of appropriate durable solutions and an ongoing resettlement program.

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(6) McCain-Dole Amendment No. 887, to express the sense of the Congress that the President should exempt from the trade embargo against Nicaragua

D1295

October 7, 1981

CONGRESSIONAL RECORD

H 13689

The amendment is as follows:

At the end of the bill, add the following new section:

(a) The Congress shall limit the use of salary remission arrangements where under the nationals of member states of the United Nations serving as employees of the United Nations Secretariat or its specialized agencies are required to turn over their salaries to their national governments and retain only a portion of the salary paid to them by the United Nations violates the United Nations Charter and seriously compromises the independence of the United Nations' international civil service.

(b) The elimination of salary remission arrangements that compromise the independence of the international civil service should be a high priority of the United States in its efforts to reform the personnel practices of the United Nations system.

(c) Fifty percent of the funds made available for the fiscal year 1988 by any provision of law to meet the obligations of the United States for assessed contributions to the United Nations and its specialized agencies may not be obligated until the President certifies to the Congress that significant progress has been made within the United Nations Secretariat and the United Nations specialized agencies in eliminating—

(1) the excessive use of secondment by member states whereunder nationals of the member states serving as employees of the United Nations Secretariat are seconded to such employment on fixed-term contracts and not allowed to become regular career employees of the United Nations, with a view to implementing the recommendations of the Group of 18 with respect to limits on the use of secondment; and

(2) the blatant control of nationals of member states serving as employees of the United Nations Secretariat or the specialized agencies through regular supervision, consultation, and evaluation of such nationals of member states by their permanent missions to the United Nations or to the specialized agencies of the United Nations.

Mr. HEINZ. Mr. President, I thank the chairman and ranking member of the Foreign Relations Committee for accepting my amendment. This amendment is identical to one I offered 2 weeks ago to the Defense authorization bill. The Senate adopted the amendment on that bill by a unanimous vote of 95 to 0.

My amendment restricts United States assessed contributions to the United Nations until there has been progress in eliminating the excessive use of secondment, or temporary assignment, of Soviet bloc personnel to the U.N. Secretariat. This use of temporary duty by Soviet bloc nationals at the United Nations greatly facilitates the abuse of these U.N. posts for espionage directed against the United States. Ending the practice of excessive secondment will not stop Soviet abuse of the United Nations for espionage—but it will make it much more difficult.

The Senate spoke with great clarity and force 2 weeks ago when it adopted this amendment. I hope that the leadership at the United Nations, which is struggling with various management and financial problems, will take this as a signal to address this basic issue that undermines American support for the United Nations. This body sup-

ports the objectives of the United Nations. The United States is a member of the United Nations. General support is required for the management of the United Nations. But we demand that action be taken to end a flagrant violation of the spirit of the U.N. Charter before we give our unstinting financial support.

I thank the managers for their cooperation. I thank my colleagues for their support on this important issue.

I discussed this with the managers and my understanding is that it is acceptable to them.

Mr. HELMS. I will accept it on the condition you make me a cosponsor.

Mr. HEINZ. Mr. President, I have to confess the Senator from North Carolina is already a cosponsor.

Mr. HELMS. I thought I was. We accept it.

Mr. PELL. This amendment has already been voted on and is acceptable.

The ACTING PRESIDENT pro tempore. If there be no further debate, the question is on agreeing to the amendment of the Senator from Pennsylvania.

The amendment (No. 884) was agreed to.

Mr. HELMS. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. HEINZ. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. PELL. Mr. President, I believe the Senator from Delaware is going to bring up an amendment. I would ask unanimous consent there be 10 minutes evenly divided, no second-degree amendments.

The ACTING PRESIDENT pro tempore. Is there objection to the unanimous-consent request? Hearing none, it is so ordered.

Without objection, the Senator from Delaware is recognized to offer an amendment.

AMENDMENT NO. 885

(Purpose: To amend the Foreign Missions Act regarding the treatment of certain Communist countries, and for other purposes)

Mr. ROTH. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The ACTING PRESIDENT pro tempore. The amendment will be stated.

The legislative clerk read as follows:

The Senator from Delaware (Mr. ROTH), for himself and Mr. Dole, proposes an amendment numbered 885.

Mr. ROTH. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The amendment is as follows:

At the end of title V, add the following:

Sec. . The Foreign Missions Act (22 U.S.C. 4301 et seq.) is amended by adding at the end thereof the following new section:

(a) The Secretary shall prepare and transmit to the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives that national security and foreign policy circumstances require that this section be waived in specific circumstances with respect to such country or particular agency of such country.

(b) The Secretary shall prepare and transmit to the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives a report describing—

(1) not later than thirty days after the date of the enactment of this section, the plans of the Secretary for implementing this section; and

(2) not later than six months thereafter, the actions taken pursuant to these plans.

Mr. ROTH. Mr. President, I rise to propose an amendment which is designed to limit the unfettered freedom with which foreign diplomats of Warsaw PACT nations move across our Nation and gain access to intelligence targets and information. This amendment would expand the Foreign Missions Act to ensure that whatever restrictions are placed on Soviet diplomats within the United States are placed on certain other block nations as well.

In the past, our counterintelligence efforts have focused primarily on restricting Soviet diplomats who reside in the United States. These efforts have proven fruitful and made it more difficult for the Soviets to run intelligence operations in the United States. Of course, the Soviets have not stopped their operations. They have simply turned on many occasions to their surrogates of the bloc, to carry out their espionage missions on U.S. territory.

In hearings before the Permanent Subcommittee on Investigations during the 99th Congress, then FBI Director and now CIA Director William Webster cited three examples of espionage operations carried out by Eastern Europeans in the United States at the behest of the Soviet Union. As his testimony demonstrated, if the Soviets do not initiate the operation, it is clear that they "piggy-back" onto operations run by a bloc country if the operation involves valuable information from the United States. One of those examples cited by Judge Webster was the case of James Durwood Harper whose information on missile systems went straight to the Soviet Union, although he was recruited by a Polish intelligence officer. Assistant Secretary of Defense Richard

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October 7, 1967

Perle testified that some of the most serious losses we have suffered through espionage operations have been through activities by members of the Warsaw Pact. These cases, delineated during PSI hearings and periodically in our newspapers, should tell us loud and clear that the Soviet bloc works in tandem against us. We are, as Soviet defector Victor Bilenko reminds us, "the weak enemy."

While we acknowledge that there are differences among the bloc nations in many areas, when it comes to their No. 1 intelligence target, the United States, they act as one. Therefore, it makes no sense for our Government to differentiate among members of the Warsaw Pact in applying restrictions. If we restrict Soviets in their travel, what sense does it make to let others who work at their direction have free access to our country? If they wish to be treated differently, let them establish a record of refusing assignments from their Kremlin bosses. We must act on the information we have, and the record of cases clearly shows them hard at work for the Soviets.

Of course, there may be circumstances in which it is in our Nation's best interest to remove these restrictions from a particular nation. My amendment contains a provision which enables the President to exempt a particular nation from these restrictions should national security or foreign policy considerations dictate. And the President can accomplish this, if necessary, by submitting a classified document to the Senate and House Intelligence Committees. Thus, my amendment allows a substantial amount of flexibility to the President.

I introduced legislation similar to this amendment during the 99th Congress which was adopted by the Senate. That bill, S. 1301, was cosponsored by 37 Senators including: Senators NUNN, COHEN, GLENN, EXON, WARREN, SYMMS, BOREN, RODMAN, CHAMBERS, RINGLE, SPECTER, KENNEDY, HECHT, DOLE, BUMPERS, BURDICK, FORD, DIXON, WARNER, WILSON, EASTEN, PROXMIER, QUAYLE, MITCHELL, ARMSTRONG, BOSCHWITZ, HEINZ, MOYNIHAN, GORE, BINGAMAN, HATCH, LEVIN, and DOMENICI.

I ask my colleagues to join me in supporting this amendment.

Mr. President, I reserve the balance of my time.

The ACTING PRESIDENT pro tempore. The Senator reserves the balance of his time. The Senator from Rhode Island is recognized for 5 minutes.

Mr. PELL. Mr. President, I oppose this amendment, particularly as one who served behind the Iron Curtain where we always had the advantage of being able to travel freely in Hungary or in Czechoslovakia in those different countries.

I think if this amendment was passed it would invite sure retaliation and limit the ability of our diplomats to travel freely in the countries of

Eastern Europe, because reciprocity would be invoked and we could find our people limited.

By the same token, over here, which is an open society you do not have to do too much traveling to get a great deal of information. All you have to do is listen to people and everybody goes through New York before they are through, anyway, at the United Nations.

So my own thought is that amendment would be self-defeating. It would be harmful to the ability of our diplomats. I know that its elements are opposed by the intelligence community and I believe it should be defeated. I am prepared to move to table it at the right moment.

The ACTING PRESIDENT pro tempore. The Senator from Rhode Island has 3 minutes 50 seconds.

The Senator from Delaware.

Mr. ROTH. I would just ask the question: Who is receiving the most valued information? I think, unfortunately, the record clearly shows that it is the Warsaw Pact.

Just let me read from the intelligence report of the Select Committee on Intelligence, U.S. Senate. On page 18 of this report issued last year it says:

The intelligence services of Poland, East Germany, Czechoslovakia, Bulgaria, Hungary, and Cuba not only serve their own national interests but also act as surrogates for Soviet intelligence. While a member of the Warsaw Pact, Romania has looser ties with the Soviet intelligence area. Recent cases demonstrate the aggressiveness of the Warsaw Pact services. The recent agency report on Soviet acquisition and military significance of Western technology documents fully shows the relationship between Soviet intelligence and the Warsaw Pact service.

Mr. President, this amendment was adopted last year. I will ask for the yeas and nays at the appropriate moment.

The ACTING PRESIDENT pro tempore. The time of the Senator has expired.

The Senator from Rhode Island.

Mr. PELL. Mr. President, to give an example of the harm this amendment would do it would mean that diplomats in Warsaw cannot visit in Danzig if the Poles invoke the same procedure we do. I think if we ask anyone who serves behind the Iron Curtain what his reaction to this amendment would be he would say it would be against our national interest. For this reason, Mr. President—

Mr. HELMS. Mr. President, would the Senator withhold?

Mr. PELL. I will.

Mr. HELMS. Mr. President, with all deference to my good friend, the chairman of the Foreign Relations Committee, I support the amendment.

Mr. President, I always hear the word retaliation, whether it be with respect to trying to curb criminal assaults, robberies, dope trafficking, that sort of thing, by people with diplomat-

ic immunity, or people like this I think it is a good amendment.

Let me claim just a minute of time by unanimous consent, Mr. President, to make a unanimous-consent request.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. HELMS. Mr. President, I ask unanimous consent that it be in order for me to call for regular order on the Symms amendment to be effective at the conclusion of the vote on the Roth amendment.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator? Without objection, it is so ordered.

Mr. HELMS. I thank the Chair.

Mr. PELL. Mr. President, at this time I move—

The ACTING PRESIDENT pro tempore. The Senator from North Carolina has been recognized for 1 minute.

Mr. PELL. On whose time?

Mr. HELMS. I do not need the time. I am entitled to time as manager of the bill.

Did the Chair rule on my unanimous-consent request?

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. HELMS. As I understand it, regular order will be presumed to have been called at the conclusion of the vote on the Roth amendment.

I thank the Chair.

The ACTING PRESIDENT pro tempore. The Senator from Rhode Island.

Mr. PELL. Mr. President, at this time I move to table the Roth amendment.

Mr. ROTH. Mr. President, I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion to table the amendment of the Senator from Delaware. The yeas and nays have been ordered and the clerk will call the roll.

The legislative clerk called the roll.

Mr. CRANSTON. I announce that the Senator from North Carolina [Mr. SANFORD] and the Senator from Illinois [Mr. SIMON] are necessarily absent.

Mr. SIMPSON. I announce that the Senator from Arizona [Mr. MCCLINTOCK] and the Senator from Oregon [Mr. PACKWOOD] are necessarily absent.

The PRESIDING OFFICER [Mr. DIXON]. Are there any other Senators in the Chamber who desire to vote?

The result was announced—yeas 36, nays 60, as follows:

(Rollcall Vote No. 307 Leg.)

YEAS—36

Adams	Breaux	Evans
Baucus	Bumpers	Fowler
Bentsen	Conrad	Graham
Biden	Cranston	Harkin
Boschwitz	Dashle	Helms
Bradley	Dodd	Inoué

October 7, 1987

CONGRESSIONAL RECORD—SENATE

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Kassebaum
Kennedy
Kerry
Laurenberg
Leahy
Lugar

Matsumura
McDonough
Mills
Pelt
Proxmire
Pryde

Rosen
Sasser
Stennis
Weicker
Wirth

NAYS—60

Armstrong
Bingaman
Bond
Boren
Burke
Byrd
Chafee
Chiles
Cochran
Cohen
D'Amato
Danforth
DeConcini
Dixon
Dole
Domenici
Durenberger
Exon
Ford
Garn

Glenn
Gore
Gramm
Grassley
Hatch
Hecht
Heflin
Helms
Hollings
Humphrey
Johnston
Karnes
Kasten
Levin
McClell
McConnell
Melcher
Mitchell
Moinihan

Markowski
Nickles
Nunn
Pressler
Quayle
Reid
Riegle
Roth
Rudman
Shelby
Simpson
Specter
Stafford
Stevens
Symms
Thurmond
Trible
Wallace
Warner
Wilson

NOT VOTING—4

McCain
Packwood

Sanford
Simon

So the motion to lay on the table amendment No. 885 was rejected.

Mr. HELMS. Mr. President, I move to reconsider the vote by which the motion was not agreed to.

Mr. DANFORTH. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

(The following occurred later:)

Mr. CHILES. Mr. President, earlier I inadvertently voted to table Roth amendment No. 885. I am a strong supporter of the amendment. I, therefore, ask unanimous consent to change my vote from "yea" to "nay". This will not change the outcome of the vote.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

(The above tally has been changed to reflect the foregoing order.)

Mr. HELMS. Mr. President, I move to reconsider the vote by which the motion was not agreed to.

Mr. DANFORTH. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BYRD. Mr. President, may we have order in the Senate?

The PRESIDING OFFICER. The majority leader.

Mr. BYRD. May we have order in the Senate?

The PRESIDING OFFICER. There will be order in the Senate. Will the Senators take their seats?

Mr. BYRD addressed the Chair.

The PRESIDING OFFICER. The majority leader.

Mr. BYRD. If we might have the attention of Senators—

The PRESIDING OFFICER. There is not order in the Senate. May we have order? May the majority leader have order?

Mr. BYRD. Mr. President, it might be helpful to all Senators if we could hear from the managers right now as to what the prospects are for proceeding expeditiously on the bill, and

hopefully winding up action on it today, after which I would like to discuss with the distinguished Republican leader the prospects for other legislation. I want to talk also about the calendar, and our target date for adjournment sine die.

First of all, I would like, if the managers could help us with their estimates of where we are on this bill, where we are going, and how fast we are going to get there.

Mr. PELL. Mr. President, on the Democratic side there are about a dozen amendments, many which are acceptable.

Mr. LEAHY. Mr. President, can we have order, please?

The PRESIDING OFFICER. May we have order in the Senate? May the managers have the attention of the Senate? May the majority leader hear what is being said?

Mr. PELL. On the Democratic side there are about a dozen amendments. I think we can get through these—some are most acceptable—within a couple of hours. That would be my hope. I am not sure how the Republicans feel.

Mr. HELMS. Mr. President, we have 20 and counting.

Mr. BYRD. The Senator has what?

Mr. HELMS. We have 20 and counting, as we say. I think most of them we can take care of with very few rollcall votes. But I am not prepared to decide that yet. But I have been around this place, not as long as the distinguished majority leader, but when we start trying to get a time agreement, that takes an hour and a half just about every time. Why do we not just plow ahead? I think we will surprise the majority leader.

Mr. BYRD. Very well. That sounds good enough for me right now.

Let us proceed to the next step.

Mr. DOLE. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order, please. The majority leader is recognized.

Mr. FORD. Mr. President, will the majority leader yield for a question?

Mr. BYRD. Yes.

Mr. FORD. Mr. President, the distinguished Senator from Arizona [Mr. McCain] was assisting me in chairing the Commerce Committee hearings. He expected me to return when I came to the Senate Chamber. I found we were to have a rollcall vote almost immediately following the other one. I called back, and he missed the vote.

I would like to ask unanimous consent of this body, under these circumstances—and I feel responsible—that since it will not change the outcome of the last vote, he be allowed to vote.

Mr. BYRD. No, I will strenuously object to that.

Did you say he missed the vote? Mr. FORD. He ran all the way, and he was out of breath.

Mr. BYRD. I am sorry, but I will object very emphatically. The rules provide that such a unanimous-con-

sent request cannot even be entertained by the Chair after the results of a vote have been announced.

Mr. FORD. I feel responsible for it. At least, it is part of the Record that it is my fault that he missed that vote. When the roll is called out yonder, he can lay it on me. [Laughter.]

Mr. BYRD. I know that the Senator is very sorry about it, and so am I.

Mr. President, I have had a meeting, together with other members of the Senate Democratic leadership today—Mr. CRANSTON and Mr. INOUYE, with the Speaker and Mr. FOLEY and Mr. COELHO and others in the leadership on the House side. We have discussed the legislative program for the remainder of the first session of the 100th Congress.

I had previously discussed that program with the distinguished Republican leader in this body. I felt that I should start here, and the Republican leader and I have had some good discussions on the matter.

I think it is appropriate at this time to state publicly what our target date is, and also the remaining work that needs to be done, if we are to achieve that target date, so that all Members will know what we have left on the platter, generally speaking, with the understanding, of course, that we cannot dot every "i" and cross every "t" at this moment, because some matters may be unforeseen that would need to be dealt with. In the normal course of things, there will be legislation that can come up by unanimous consent or on a very short time limit, which will be over and above the items that I am going to lay out here.

I believe that the Republican leader and I are pretty much in agreement. He is here on the floor and will speak for himself.

The target date is November 21. That is the Saturday before Thanksgiving. I emphasize that that is only the target date. Following the current week of action, that would leave us only 6 full weeks in which to complete our work.

Mr. President, if we may have order in the Senate and a little less talk, I will try to shorten my own talk.

That leaves 6 weeks, with the understanding that there will be no Monday sessions the remainder of this month, but next month the Senate will be in on Mondays.

These are the bills and other matters that we must act on before adjournment.

The appropriation bills. There are 13 regular appropriation bills. We have already acted on four of them this year in the Senate—within the last 2 weeks as a matter of fact.

On the calendar right now, there are four additional appropriation bills: Labor-HHS, Energy-Water, HUD, and State-Justice-Commerce. They are on our calendar awaiting action. They have been passed by the House, have been reported out by the Appropria-